

STATE OF MICHIGAN  
JUDICIAL DISTRICT  
JUDICIAL CIRCUITORDER FOR COUNSELING AND TESTING  
FOR DISEASE/INFECTION

CASE NO.

Court address

Court telephone no.

THE PEOPLE OF ☐ The State of Michigan  
☐ \_\_\_\_\_  
 \_\_\_\_\_

v

Defendant's/Juvenile's name, address, and telephone no.

☐ Juvenile In the matter of \_\_\_\_\_

1. On \_\_\_\_\_  
Date
- ☐ defendant/juvenile was arraigned on a warrant for:  
☐ defendant was assigned to youthful trainee status for:  
☐ defendant/juvenile was convicted of:  
☐ defendant/juvenile was bound over to the circuit court for:  
☐ juvenile was found to be within the provisions of MCL 712A.2 for violation of:

Specify (see reverse side for list of violations)

2. The defendant/juvenile is ☐ on bond  
☐ incarcerated in \_\_\_\_\_.

**IT IS ORDERED:**

3. The defendant/juvenile shall receive counseling regarding venereal disease, hepatitis B infection, human immunodeficiency virus (HIV) infection; acquired immunodeficiency syndrome; and acquired immunodeficiency syndrome related complex including, at a minimum, information regarding treatment, transmission, and protective measures from:
- ☐ a local health department,  
☐ an assigned counseling and testing agency,  
☐ a licensed physician, at the defendant's/juvenile's expense,

Name of physician or contact person of agency or health department and address

4. The defendant/juvenile shall be confidentially tested for venereal disease, hepatitis B infection, and for the presence of HIV or an antibody to HIV from the agency or person providing the counseling. The person or agency administering the test shall transmit the test results and any other medical information obtained from the defendant/juvenile to this court. The test results will be made part of the court record but are confidential and shall be disclosed only to those specified in statute.
5. If authorized by the victim or victim's representative, the victim advocate of the prosecuting office shall immediately forward the name, address, and telephone number of the victim or the victim's representative to the physician or agency administering the test on the defendant/juvenile.
6. All testing and counseling of the defendant/juvenile must be completed and test results transmitted to the court:
- ☐ before the sentencing/dispositional hearing date on \_\_\_\_\_. ☐ within 30 days of this order.
- Test results must be transmitted to: ☐ the \_\_\_\_\_ circuit court at \_\_\_\_\_.
- ☐ this court at the address stated above. Failure to comply may result in penalty for contempt of court.

Date

Judge/Magistrate

Bar no.

See other side for instructions and a list of persons subject to testing and counseling under MCL 333.5129.

## INSTRUCTIONS

1. Even if the defendant is convicted of a lesser offense, this form is to be used under:  
MCL 333.5129 to order testing and counseling when a
  - defendant is arraigned on a warrant in the district court or bound over to circuit court for specific sex offenses as listed below **when** the district court determines there is reason to believe the violation involved sexual penetration or exposure to a body fluid of the defendant.
  - defendant is convicted of, or assigned to youthful trainee status for, specific sex offenses as listed below; or
  - juvenile is found to come under the provisions of MCL 712A.2 for violation of specific sex offenses as listed below.
2. Item 5. applies only if the victim **has** consented to release of name, address, and phone number on Department of Public Health form AP 109.

### PERSONS SUBJECT TO TESTING AND COUNSELING UNDER MCL 333.5129

Persons charged with violations and convicted of/found responsible for same or lesser offense of: (\*testing not required if the court determines there is **no** reason to believe the violation involved sexual penetration or exposure to a body fluid of defendant)

*MCL 333.7404	Use of controlled dangerous substance; penalties (specifically, intravenous use)
MCL 750.145a	Accosting, enticing, or soliciting child for immoral purposes
MCL 750.338	Gross indecency; between male persons
MCL 750.338a	Gross indecency; between female persons
MCL 750.338b	Gross indecency; between male and female persons
*MCL 750.448	Soliciting and accosting
*MCL 750.449	Admitting to place for purpose of prostitution
MCL 750.449a	Engaging services for purpose of prostitution, lewdness, or assignation, offer to engage; penalty
MCL 750.450	Aiders and abettors
MCL 750.452	House of ill fame, keeping, maintaining or operating
MCL 750.455	Pandering
MCL 750.520b	First degree criminal sexual conduct
MCL 750.520c	Second degree criminal sexual conduct
MCL 750.520d	Third degree criminal sexual conduct
MCL 750.520e	Fourth degree criminal sexual conduct
MCL 750.520g	Assault with intent to commit criminal sexual conduct